

## PROGRAM INTEGRITY REQUEST FOR REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 -10 of the form. Use a separate form for each policy interpretation request. Retain a copy of the Word Document for your records, and submit via email to: [PIBPolicy@dss.ca.gov](mailto:PIBPolicy@dss.ca.gov).

1. REQUESTOR NAME: Aurelia Brockman	5. COUNTY: Butte
2. PHONE NO: (530) 538-5030 EMAIL: <a href="mailto:abrockman@buttecounty.net">abrockman@buttecounty.net</a>	6. SUBJECT: TOP on HH Members
3. REGULATION CITE(S): MPP§63-801.44; MPP§20-403.21	7. REFERENCES: (ACLs/ACINs, COURT CASES Etc.) ACL 91-53
4. DATE OF REQUEST: 11/29/2017	8. DATE RESPONSE NEEDED:

### 9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

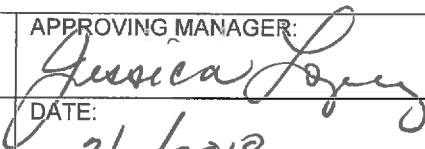
There are two responsible parties to a CalFresh overissuance (a mother and an adult daughter). They have since moved into separate households. One party is receiving benefits for two minors exclusively with no benefit reduction. The other party is not receiving benefits. Neither party has entered into a repayment agreement. A) Is the case eligible for allotment reduction? B) Is either party eligible for Tax Offset Program (TOP) interception?

### 10. REQUESTOR'S PROPOSED ANSWER:

An adult child is listed as a responsible party on her mom's case. She is no longer living at home but does have a tax intercept number. Mom is currently active in CF but seems to only be receiving benefits for her two younger children. Will mom and/or daughter need to set up a payment plan? And will either have to worry about getting intercepted since no benefit reductions are in place and only the younger siblings seem to be aided? C-IV does show that daughter was reactivated and suspended on the same day 11/26/17. I am asking because my co-worker just recently encountered an HH that had been receiving benefits since last year and the other responsible party still ended up getting intercepted.

### 11. CDSS RESPONSE:

See attached.

PROGRAM INTEGRITY ANALYST: Cassandra Wagner	APPROVING MANAGER: 
DATE:	DATE: 3/1/2018

DATE RESPONSE RECEIVED/LOG # (CDSS Use Only):

PI 18-24 02/01/2018

Please note: The policies expressed in this response are based on the unique set of facts presented and should not be presumed to apply in other situations.

**Policy Interpretation 18-24 TOP on HH Members**

**(cont.)**

**11. CDSS RESPONSE:**

A) Yes. If no responsible party sets up a repayment agreement, the County Welfare Department (CWD) shall utilize benefit reduction (MPP § 63-801.44). This applies to households where the adult responsible for an overissuance is an excluded member of the CalFresh household (ACL 91-53). In this specific scenario, the mother's benefits shall be reduced to repay the overissuance debt.

B) No. Per MPP § 20-403.21, cases that are eligible for CalFresh allotment reduction cannot be TOP offset. As TOP is debt-centered, neither party is eligible for TOP offset as long as one party is eligible for allotment reduction. In this scenario, as long as the mother continues to receive CalFresh benefits for her household and the CWD properly reduces her CalFresh benefits, neither mother or daughter should be TOP offset.